



REMEDIAL
SERVICES

**Asbestos Abatement Work Plan
Former Bossert Manufacturing
Utica, New York 13501**

Notification

USA Remediation Services, Inc. will make proper project notifications to the State of New York and the Environmental Protection Agency, under the following provisions:

New York State: Industrial Code Rule 56 Section 904 NOTICE and RECORDKEEPING
Environmental Protection Agency: 40CFR Part 61 Section 61.146 STANDARD for DEMOLITION
Copies will be posted on site.

Mobilization

USA will mobilize with ~~a~~ one supervisor and five workers. All USA employees on site will be certified per New York State Industrial Code Rule 56 Section 56-2.2.

Personal Decontamination Enclosure System

Prior to the start of any abatement ^{activities}, USA will construct a personal decontamination enclosure that meets the requirements of NYS ICR 56-9.1 and a waste decontamination enclosure that meets the requirements of NYS ICR 56-10.1.

Site Security

The work area will be restricted to authorized, trained, and protected personnel. Entry into work area by unauthorized individuals shall be reported to Earth Tech immediately. A log book will be maintained by USA in the clean room area of the worker decontamination system. Anyone entering the work area will be required to record his/her name, affiliation, time in, and the time out for each entry.

Work Area Preparation

Asbestos warning signs will be posted at all approaches to the work areas.
Emergency exits will be established and clearly marked. The work areas will be separated from non work areas with either yellow caution tape and/or plastic barriers.

Working Toward A Cleaner Environment





Personal Air Monitoring

7
In addition to the requirements of OSHA 1926.1101, USA will perform personal monitoring every work shift, in each work area, during which abatement ^{activities} ~~actives~~ occur, in order to determine that appropriate respiratory protection is being used.

Removal Methods

USA will be using the following two methods for the removal of all friable pipe insulation:

- * Applicable Variance 87 Wrapped Piping
Issued by the Department of Labor (March 20, 1989)
- * Applicable Variance 108 Glovebag Operations
Issued by the Department of Labor (June 3, 1997)

Both AV-87 and AV108 are enclosed for your review. USA has applied for its own variance with the Department of Labor for the removal of the asbestos tank insulation located in the boiler room and additional relief from AV-87 and AV-108. A copy of the application is enclosed for your review.

Asbestos Waste Disposal

All asbestos materials will either be wrapped with two layers of 6 mil plastic or placed in 6 mil bags. All bags will be double bagged prior to their removal from the work area. All materials will be identified and labeled as asbestos containing waste.

A 100yd asbestos waste trailer will be placed on site prior to asbestos abatement activities. All asbestos waste removed each day shall be placed in the waste trailer for overnight storage. The waste trailer will be kept locked at all times except when in use. When full, ^{the} waste trailer shall be promptly removed from the site. A copy of the waste manifest will be issued to your on site representative prior to the trailers departure. An original signed manifest will be forwarded to your main office with our final billing.

Area Restoration

Restoration of the work areas to pre-abatement condition shall only occur following the completion of clean-up procedures and after clearance air monitoring has been ^{per} performed and documented to the satisfaction of Earth Tech.

STATE OF NEW YORK
DEPARTMENT OF LABOR
STATE OFFICE BUILDING CAMPUS
ALBANY, NEW YORK 12240-0100

In the Matter of

Part 56 of Title 12 of the Official Compilation
of Codes, Rules and Regulations
of the State of New York

(Cited as 12NYCRR 56)
(As Amended Effective November 9, 1994)

Code Rule Sections 56-6.1; 56-8.1, Subdivision (j)
Subdivision (k), Paragraphs (1) through (5);
Section 56-9-1; Section 56-10-1;
Section 56-11.1(b); Section 56-15.2 Subdivisions
(b) through (e), Section 56-16.1 Subdivision (a)
and Section 56-17.2 Subdivision (a)(1).

COMMISSIONER'S
DECISION

APPLICABLE
VARIANCE
(AV 108) *

ASBESTOS

GLOVEBAG
OPERATIONS

DATED
JUNE 3, 1997

Pursuant to Section 30 of the Labor Law, the Commissioner of Labor has reviewed the aforementioned provisions of Industrial Code Rule 56 as they relate to the use of glovebags for the removal of asbestos or asbestos containing material; and

Has also reviewed numerous petitions for variance or other relief and the decisions rendered relative to the petitions.

The Commissioner finds that the issuances of an applicable variance from the aforementioned provisions of Industrial Code Rule 56, as such pertain to the use of glovebags for the removal of asbestos or asbestos containing material, would not violate the spirit and purpose of the said rules and would secure the public safety as contemplated by said rules.

APPLICABLE VARIANCE

A variance from the aforementioned provisions of Industrial Code Rule 56 is hereby GRANTED, relative to the use of glovebags for the removal of asbestos or asbestos containing material, subject to the following conditions:

CONDITIONS

1. A personal decontamination enclosure system that complies with Subpart 56-9 shall be utilized. A waste decontamination enclosure system that fully complies with Subpart 56-10 shall be utilized. These enclosure systems can be remote and shall be removed only after satisfactory clearance air monitoring results have been achieved.
2. If remote decontamination units are used, workers shall don two (2) suits; and the containment shall have an attached air lock within which workers shall remove their outer suit, wipe off their inner suit and don a clean outer suit prior to proceeding to another work area or to the remote decontamination unit.
3. Each glovebag work location shall be completely enclosed in a

tent or "mini-containment". The inside of the tent or "mini-containment" is the work area. All tents shall have floor, ceiling, walls, and an attached airlock. Negative air pressurization shall be utilized.

4. The requirements of Section 56-15.4 shall be complied with in the event of glovebag failure.
5. A tape barrier shall be installed at an appropriate distance from the perimeter of the tent to isolate the work area.
6. Uncertified workers shall be prohibited from all work area(s).
7. In addition to the requirements of Subpart 56-17, air monitoring shall be conducted daily in each section of the work area in which glovebag techniques are being utilized. Sample and analysis turnaround time shall not exceed twenty-four hours. If air sampling results indicate airborne asbestos fiber concentration at or above 0.01 fibers per cubic centimeter, or the background level, whichever is greater, work shall be stopped immediately and methods shall be altered to reduce the airborne asbestos fiber concentration to the aforesaid level. Work shall not resume until that level is attained.
8. Individual glovebags shall be used no more than once during

the course of an asbestos removal project and shall not be moved or reused.

9. The contractor shall observe, at a minimum, four (4) hour waiting (settling/drying) periods.
10. After completion of the final four (4) hour drying period, an authorized and qualified individual, (i.e., the Project Monitor, Air Monitor or Design Engineer) shall inspect abatement locations for dryness and debris. Once abatement areas are inspected and determined dry and free of debris, clearance air tests may be performed.
11. If clearance air test results fail, abatement areas shall be recleaned, a new four (4) hour settling period observed and tests rerun.
12. If tents are required to be up more than one day, daily air tests shall be required. Once acceptable air results have been attained and area is free of debris the tent shall be disassembled.
13. A copy of this APPLICABLE VARIANCE shall be conspicuously posted at the entrance to the personal decontamination enclosure.

14. All other applicable provisions of Industrial Code Rule 56-1 through 56-18 shall be complied.

This VARIANCE shall apply and shall be applied by all enforcement officials to all persons and in all places to which the aforecited provisions of Industrial Code Rule 56 apply to the use of glovebags for the removal of asbestos or asbestos containing material with the same force and effect as if this VARIANCE were duly granted upon separate petition for the use and benefit of every person affected by the aforecited provisions of Industrial Code Rule 56.

DATED: JUNE 3, 1997

JOHN E. SWEENEY
COMMISSIONER OF LABOR

BY


RICHARD CUCOLO, DIRECTOR
DIVISION OF SAFETY AND HEALTH

- * This DECISION supersedes APPLICABLE VARIANCE 91, COMMISSIONER'S DECISION dated March 20, 1989.

STATE OF NEW YORK
DEPARTMENT OF LABOR
STATE OFFICE BUILDING, CAMPUS
ALBANY, NEW YORK 12240

----- X
In the Matter of : COMMISSIONER'S
Part 56 of Title 12 of the Official Compilation : DECISION
of Codes, Rules and Regulations : APPLICABLE
of the State of New York : VARIANCE
 : (AV 87)
 : ASBESTOS
(Cited as 12NYCRR 56) : WRAPPED PIPING
(As Amended Effective December 15, 1987) :
Code Rule Section 56-8.2, Subdivision (d) : DATED
----- X MARCH 20, 1989

Pursuant to Section 30 of the Labor Law, the Commissioner of Labor has reviewed the aforecited provision of Industrial Code Rule 56 as it relates to the removal of above ground insulated piping; and

Has also reviewed numerous petitions for variance or other relief and the decisions rendered relative to these petitions.

The Commissioner finds that the issuance of an applicable variance from the aforecited provision of Industrial Code Rule 56, as such pertains to the removal of above ground insulated piping, would not violate the spirit and purpose of the said rule and would secure the public safety as contemplated by the said rule.

APPLICABLE VARIANCE

A variance from the aforecited provision of Industrial Code Rule 56-8.1(k) is hereby GRANTED, relative to the removal of above ground insulated piping without the isolation barriers--specific as required by Section 56-8.1(k) which requirement is included among those specified in Section 56-8.2(d), subject to the following conditions as they pertain to the removal of above ground insulated piping located either in a building or external to a building:

CONDITIONS

1. Compliance with all applicable provisions of Industrial Code Rule Section 56-8.2(d) is required with the exception of Code Rule Section 56-8.1, Subdivision (k), Paragraphs (1) through (5) only.
2. The entirety of the building(s)/complex shall be considered to be the work area. Uncertified persons shall not be permitted within the work area.
3. Amended water shall be used to wet the asbestos.
4. Personal protective equipment as required by Industrial Code Rule Section 56-4.1, Subdivision (d) shall be provided and used.
5. A personal decontamination enclosure system that complies with Subpart 56-9 shall be utilized. The enclosure system shall be

removed only after satisfactory clearance air monitoring results have been achieved.

6. In addition to the requirements of Subpart 56-17, air monitoring of the entire work area shall be conducted daily. If air sample results indicate any airborne asbestos fiber concentration(s) at or above 0.01 fibers per cubic centimeter, or the background level, whichever is greater, work shall be stopped immediately, methods shall be altered to reduce the airborne asbestos fiber concentration(s) to the aforementioned level and work shall not resume until that level is attained.
7. A waste decontamination enclosure system that fully complies with Subpart 56-10 shall be utilized.
8. All openings (including but not limited to windows, doors, ducts, grilles) to the exterior of the building(s) shall be sealed with two layers of at least six mil plastic sheeting.
9. Air sampling and analysis shall be performed in compliance with the requirements of Industrial Code Rule 56-17.
10. The entirety of the pipe/insulation shall be wrapped in two layers of, at least six mil, plastic sheeting and sealed airtight prior to the commencement of glovebag operations.
11. Nylon slings shall be used to lower/move insulated pipe sections of convenient lengths.
12. A copy of this Applicable Variance shall be conspicuously posted at the entrance to the personal decontamination enclosure.

13. All other applicable provisions of Industrial Code Rule 56-1 through 56-17 shall be complied.

This variance shall be applied by all enforcement officials to all persons and in all places to which the aforecited provision of Industrial Code Rule 56 applies to the removal of above ground insulated piping with the same force and effect as if this variance were duly granted upon separate petition for the use and benefit of every person affected by the aforecited provision of Industrial Code Rule 56.

THOMAS F. HARTNETT
COMMISSIONER OF LABOR

BY 

ROBERT F. GOLLNICK, DIRECTOR
DIVISION OF SAFETY AND HEALTH



STATE OF NEW YORK
DEPARTMENT OF LABOR
VISION OF SAFETY AND HEALTH
GOV. W. AVERELL HARRIMAN
STATE OFFICE BUILDING CAMPUS
ALBANY, N.Y. 12240

DATE: December 02, 1997

USA Remediation Services
PO Box 502
9362 Paris Hill Rd
Sauguoit, NY 13456

PETITION DATE: 12/02/97

CASE NUMBER: 9701667

SUBJECT: ICR 56

RE: Old Bossert Manufacturing Plant
Rt 12, Utica, NY

Dear Sir:

This will acknowledge receipt of your Petition for a Variance as noted above.

We are taking the necessary measures to evaluate your petition and upon completion, we will notify you of the Department's determination.

In all future correspondence pertaining to this petition, kindly refer to the petition case number shown above.

Sincerely,

A handwritten signature in cursive script that reads "Wallace W. Renfrew".

Wallace W. Renfrew, P.E.
Program Manager
Engineering Services Unit
Division of Safety and Health

Enc: DOSH-751



STATE OF NEW YORK - DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH
ENGINEERING SERVICES UNIT
 STATE OFFICE BUILDING CAMPUS
 ALBANY, N.Y. 12240

PREPARE APPLICATION IN TRIPlicate
 SUBMIT ALL APPLICATIONS TO THE
 ADDRESS SHOWN WITH A CERTIFIED
 CHECK OR MONEY ORDER (made
 payable to the Commissioner of Labor)

PETITION FOR A VARIANCE OR OTHER RELIEF
 (NOT APPLICABLE FOR PUBLIC EMPLOYERS)

97-1667

1. NAME AND ADDRESS OF PETITIONER USA Remediation Services PO Box 502, 9362 Paris Hill Rd. Sauquoit, NY 13456		4. FOR AN ASBESTOS PROJECT ONLY, PETITIONER OR AGENT IS OR HOLDS (Check appropriate box) <input type="checkbox"/> Asbestos Contractor - License No. _____ <input type="checkbox"/> Air Monitor - Certificate No. _____ <input type="checkbox"/> Project Designer - Certificate No. _____ <input type="checkbox"/> Project Monitor - Certificate No. _____ <input type="checkbox"/> Management Planner - Certificate No. _____ <input type="checkbox"/> Other (Specify) _____
2. PETITIONER'S TELEPHONE NUMBER: 315-737-3827		
3. PETITIONER'S FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): 54-157-1399		
5. AFFECTING PREMISES KNOWN AS old Bossert Manufacturing Plant		6. STREET ADDRESS OF SUCH PREMISES Rt. 12 Utica NY

7. These premises are situated on West side of Rt. 12
NORTH-EAST SOUTH-WEST STREET-AVENUE-ROAD
 Check one) in the ☒ CITY ☐ TOWN ☐ VILLAGE OF Utica, County of Oneida

8. NAME AND ADDRESS OF ALL DESIGNATED EMPLOYEE REPRESENTATIVES (Enter "None" if no employee organization)

This question is not applicable to an Asbestos Project

RECEIVED

DEC 2 1997

PRINCIPAL ENGINEER
 ENGINEERING SERVICES UNIT
 ALBANY, NY

THE PETITIONER HEREBY PETITIONS THE COMMISSIONER OF LABOR FOR A VARIANCE (OR OTHER RELIEF) FROM THE REQUIREMENTS OF THE LABOR LAW, ORDERS OF THE COMMISSIONER OF LABOR REQUIRING COMPLIANCE WITH THE STATE BUILDING CONSTRUCTION CODE, THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE, AND/OR THE RULES OF THE COMMISSIONER OF LABOR AS STATED BELOW.

A. CITATION

LIST THE APPLICABLE SECTION AND PARAGRAPH OF THE RELEVANT LAW, CODE, OR REGULATION(S) FOR WHICH A VARIANCE IS BEING REQUESTED.

9. LABOR LAW 30	10. STATE BUILDING CONSTRUCTION CODE	11. UNIFORM FIRE PREVENTION CODE	12. INDUSTRIAL CODE RULE NUMBER 56
13. ORDERS ISSUED: <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, enter date issued		14. ISSUED BY: <input type="checkbox"/> STATE INSPECTOR <input type="checkbox"/> LOCAL INSPECTOR	15. ISSUED TO: <input type="checkbox"/> OWNER <input type="checkbox"/> AGENT <input type="checkbox"/> LESSEE (Enter name appearing on Notice of Violation)

16. QUOTE THE TEXT OF THE ORDERS AS GIVEN ON THE NOTICE OF VIOLATION AND ORDER TO COMPLY, if applicable

17. IF A VARIANCE HAS BEEN GRANTED PREVIOUSLY COVERING THE SAME SECTION AND PARAGRAPH AS SPECIFIED ABOVE IN ITEMS 5-8, LIST THE CASE NUMBER AND DATE SUCH VARIANCE WAS GRANTED.

B. DESCRIPTION OF PREMISES

to be filled out only when pertinent to the petition

18. Date building was constructed Unknown 19. No. Stories: Front 1 Rear 1
20. Construction of building is ☐ Wood; ☒ Non-fireproof; ☐ Fireproof;
☒ (Masonry walls, wood floors and roof) ☐ (Masonry walls, concrete floors and roof)
21. Size of lot: At street level Feet front Unknown Feet deep Unknown
22. Size of building: At street level Feet front Unknown Feet deep Unknown
23. Size of building: At typical floor level Feet front Unknown Feet deep Unknown
24. Use of each floor and maximum number of persons on each floor are as follows:

Floor	Equipped with Automatic Sprinklers		USE	OCCUPANCY			
				Present		Proposed	
	Yes	No		Men	Women	Men	Women
Cellar							
1		X	Vacant				
2							
3							
4							
5							

C. REASON FOR REQUEST FOR VARIANCE

State the grounds for a variance (or other relief) setting forth difficulties and/or hardships involved in complying with the requirements stated above. Failure to complete this section may result in dismissal or denial of this petition.

Item # 24

D. PROPOSAL

26. State the proposal, if any, for securing safety or protecting health without literal compliance with such requirements.

Attachment # 1

This question is not applicable to an Asbestos Project

27. I affirm that a copy of this Petition

☐ has been sent or ☐ will be sent within 3 days of sending this Petition to the Commissioner of Labor, to all designated employee representatives by certified mail, return receipt requested

AND

☐ has been posted or ☐ will be posted within one week of sending this Petition to the Commissioner of Labor at the site affected by the variance in an easily accessible location

I certify that the information contained in this Petition is true and accurate.

12/1/97
28. DATE


29. SIGNATURE OF PETITIONER OR PETITIONER'S AGENT

Return **THREE** copies of this application and the \$350.00 fee to the address shown on front.

(Use additional 8 1/2 x 11 sheets, if necessary)

97. 1667

Item # 24 Hardship

Demolition work at the old Bossert Manufacturing Plant requires the removal of asbestos to complete the demolition. The work will take place in several work areas through the complex with approximately 3500 linear feet of piping and 450 square feet of tank insulation. Due to the fact that the complex has been vacant for a number of years with no heat and the complex in a disastrous shape preparation of the work area in strict accordance with the code rule will delay completion of this project and add considerably to the cost of this project. We are Requesting relief from provisions of New York State Code Rule 56.

97. 1667

Attachment # 1

In lieu of conforming with all provision of Industrial Code Rule 56 we propose to remove the asbestos containing material with the following conditions.

Glove Bag Work Areas 3500 Linear feet of pipe Insulation

- 1. Only authorized personal allowed in the work area.**
- 2. The work area will be in a tent enclosure with 1 layer of six mill polyethylene sheeting. 25 feet from the tent will be caution tape to keep unauthorized personal away from the tents.**
- 3. The tents will be under negative pressure during the removal phase.**
- 4. A personal decontamination enclosure system, which is remote from the work area will be used.**
- 5. A waste decontamination enclosure system, which is remote from the work area will be used.**
- 6. Air sampling clearance will be by PCM sampling.**
- 7. All other provision of Industrial Code Rule 56 shall be adhered to.**

Attachment # 1

In lieu of conforming with all provision of Industrial Code Rule 56 we propose to remove the asbestos containing material with the following conditions.

Boiler room 450 square feet of asbestos tank

- 1. Only authorized personal allowed in the work area.**
- 2. The work area will be in a tent enclosure with 1 layer of six mill polyethylene sheeting. 25 feet from the tent will be caution tape to keep unauthorized personal away from the tents.**
- 3. The tents will be under negative pressure during the removal phase.**
- 4. A personal decontamination enclosure system, which is remote from the work area will be used.**
- 5. A waste decontamination enclosure system, which is remote from the work area will be used.**
- 6. Air sampling clearance will be by PCM sampling.**
- 7. All other provision of Industrial Code Rule 56 shall be adhered to.**